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2 Regional Solicitor
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4 Associate Regional Solicitor
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6 United States Department of Labor
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12 Attorneys for the Plaintiff

13 UNITED STATES DISTRICT COURT
14 CENTRAL DISTRICT OF CALIFORNIA

15 **HILDA L. SOLIS**,
16 Secretary of Labor,
17 United States Department of Labor,
18 Plaintiff,

19 v.

20 **Medtronic, Inc.**, a Minnesota Corporation;
21 **Medtronic Minimed, Inc.**, a California Corporation,
22 Defendants.

Case No.

CV11 02846 R PJWx

**COMPLAINT FOR INJUNCTIVE
RELIEF AND TO RECOVER
AMOUNTS DUE UNDER THE
FAIR LABOR STANDARDS ACT
(29 U.S.C. § 201 *et seq.*)**

23
24 1) The plaintiff, HILDA L. SOLIS, Secretary of Labor, United States Department of Labor ("Secretary"), brings this action to enjoin defendants Medtronic, Inc. and Medtronic Minimed, Inc., California corporations, (collectively, "defendants"), from violating the provisions of Sections 15(a)(1), 15(a)(2) and 15(a)(5) of the Fair Labor Standards Act of 1938, as amended ("FLSA"), 29 U.S.C. §§ 215(a)(1), 215(a)(2) and

1 215(a)(5), and to recover wages owed under the FLSA to present and former employees
2 of the defendants including those listed by name on the attached Exhibit A to this Com-
3 plaint, for the period from December 18, 2007 to December 17, 2010.

4 2) This Court has subject matter jurisdiction under FLSA § 17, 29 U.S.C.
5 § 217; this Court also has subject matter jurisdiction under 28 U.S.C. § 1331 (federal
6 question) and under 28 U.S.C. § 1345 (United States as plaintiff).

7 3)(a) Defendant Medtronic, Inc., is, and at all times material has been, a Minne-
8 sota corporation, with an office and place of business at 710 Medtronic Parkway, Min-
9 neapolis, MN 55432, and at all times material has been engaged in business as a de-
10 signer and manufacturer of medical devices. Defendant Medtronic operates in this dis-
11 trict through its wholly-owned subsidiaries, including Defendant Medtronic Minimed,
12 Inc.

13 (b) Defendant Medtronic Minimed, Inc., is, and at all times material has been,
14 a California corporation, with an office and place of business at 18000 Devonshire
15 Street, Northridge, CA 91325, and is a wholly-owned subsidiary of Defendant Med-
16 tronic.

17 4) At all times material hereto, the activities of the defendants have constituted
18 related activities performed through unified operation or common control for a common
19 business purpose. They are and have been an "enterprise" as defined in FLSA § 3(r), 29
20 U.S.C. § 203(r).

21 5) At all times material hereto, the enterprise has had employees engaged in
22 commerce or in the production of goods for commerce or in handling, selling or other-
23 wise working on goods or materials which have been moved in or produced for com-
24 merce. This enterprise has had an annual gross volume of sales made of no less than
25 \$500,000.00 and is an "enterprise engaged in commerce or in the production of goods
26 for commerce" as defined in FLSA § 3(s), 29 U.S.C. § 203(s).

27 6) The defendants have violated the provisions of FLSA §§ 7 and 15(a)(2), 29
28 U.S.C. §§ 207 and 215(a)(2), by employing employees engaged in commerce or in the

1 production of goods for commerce, within the meaning of the FLSA, or employed in an
2 enterprise engaged in commerce or in the production of goods for commerce, within the
3 meaning of FLSA § 3(s), 29 U.S.C. §203(s), for workweeks longer than 40 hours with-
4 out compensating these employees at rates not less than one and one-half times the regu-
5 lar rates at which they were and are employed.

6 7) The defendants have violated the provisions of FLSA §§ 11(c) and 15(a)(5),
7 29 U.S.C. §§ 211(c) and 215(a)(5), by failing to maintain, keep, make available to au-
8 thorized agents of plaintiff for inspection, transcription and/or copying, and preserve re-
9 cords of their employees and of the wages, hours, and other conditions and practices of
10 employment maintained, as prescribed by the regulations promulgated by the plaintiff
11 pursuant to the authority granted in the FLSA and published at 29 C.F.R. Part 516.

12 8) The defendants have violated and are violating the provisions of FLSA
13 § 15(a)(1), 29 U.S.C. § 215(a)(1), by transporting, offering for transportation, shipping,
14 delivering, or selling in commerce (or by shipping, delivering or selling with knowledge
15 that shipment or delivery or sale in commerce was intended) goods in the production of
16 which employees were employed in violation of FLSA §§ 6 and/or 7.

17 9)(a) During the period from December 18, 2007 to December 17, 2010, defen-
18 dants violated the above-described provisions of the FLSA.

19 (b) As a result of the violations of the monetary provisions of the FLSA, there is
20 unpaid overtime compensation due under the FLSA that is being withheld by the defen-
21 dants.

22 (c) Judgment permanently enjoining and restraining such violations of the
23 FLSA is specifically authorized by FLSA § 17, 29 U.S.C. § 217.

24 (d) Judgment enjoining and restraining any continued withholding of unpaid
25 overtime compensation due under the FLSA is specifically authorized by FLSA § 17, 29
26 U.S.C. § 217.

27 WHEREFORE, cause having been shown, plaintiff prays for judgment as fol-
28 lows:

1 (a) For an order pursuant to FLSA § 17, 29 U.S.C. § 217, permanently enjoining
2 and restraining the defendants, their officers, agents, servants and employees, and all
3 persons in active concert or participation with them, from violating the provisions of the
4 FLSA §§ 15(a)(1), 15(a)(2) and 15(a)(5), 29 U.S.C. §§ 215 (a) (1), 215 (a)(2) and
5 215(a)(5); and

6 (b) For an order pursuant to FLSA § 17, 29 U.S.C. § 217, restraining the Defen-
7 dants, their officers, agents, servants and employees and all persons in active concert or
8 participation with them, from continuing to withhold the payment of any unpaid over-
9 time compensation found to be due to present and former employees listed by name on
10 the attached Exhibit A.

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15 Dated: March 29, 2011.

Hilda L. Solis
Solicitor of Labor

17 LAWRENCE BREWSTER
18 Regional Solicitor

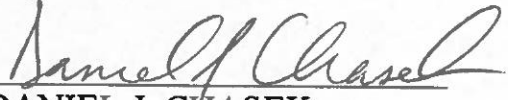
19 
20 DANIEL J. CHASEK
21 Associate Regional Solicitor
22 Attorneys for the Plaintiff
23 U.S. Department of Labor
24
25
26
27
28

Exhibit A

Exhibit A

Name

JESSENIA ACEDO
ARLENE ADORADOR
MARIA AGUILAR
LAUREEN AGUSTIN
MARIA R ALECIO
MARIA ALICIA RENTERIA
BETSY ALVARADO
ESPERIDION ALVARO, JR.
KRISTINE L ALVISO
ELIZABETH AMEZOLA
CARLENE ANAYA
GUADALUPE Y ARIAS VAZQUEZ
MARIA C AVELAR
VOLGA BAGDASARYAN
BLANCA BALDWIN
HEIDILITA BALITON
SUMMAYA BALOCH
NAYELI BARCENA
MARTHA BARRON
ANGELA M BERNAL
JUAN BERNAL
JENALYN BIHASA
THERESA CABRERA-RODRIGUEZ
AMANDA CACERES
REMEDIOS Y CAGUIOA
CYTHNIA CALIMA
CHRISTIAN CAMARENA

1 CRISEYDA CARDENAS
2 DESIREE CARREON
3 ALDA CASTELLON
4 ROGER CASTELLON
5 GUILLERMINA CEBREROS
6 MAYELA CERON
7 STACIE CHAC
8 MARIA CHACON
9 GUADALUPE M CHAVEZ
10 LETICIA S CHAVEZ
11 YESI CHU
12 ANA M CIEPLIK
13 CINDY CO
14 JOSE CRUZ
15 RODRIGO S CRUZ
16 MIRANDA CUKO
17 NANCY DANG
18 MARY DASIGAN
19 MARIA DE LA LUZ SERRANO
20 GLEN DE LA ROSA
21 ROSA L DE LA TORRE
22 MERCEDES DE LEON
23 GIOVANNA DEJACTO
24 FRANCES DELGADO
25 ESTELLA DIAZ
26 GUADALUPE DIAZ
27 JOSHUA DOMINGUEZ
28 ANA I ENRIQUEZ

1 ROBERT ESCALANTE
2 MARIA ESCOBAR
3 ANDREA ESPINOZA
4 JONALYN P ESTRADA
5 MARIA G ESTRADA
6 MARTHA ESTRADA
7 ROSARIO ESTRADA
8 SANDRA ESTRADA
9 CAMELIA O ESTRELLA
10 LUCENA FERNANDEZ
11 PAUL FLETCHER
12 TORBIA FREAL
13 SILVIA GARCIA
14 LUCINYA GHAZAROSYAN
15 MARIA GOMEZ
16 ADOLFO GONZALEZ
17 ESMERELDA GONZALEZ
18 JUANA GONZALEZ
19 MARIA D GUEVARA
20 MIRIAM GUTIERREZ
21 RICARDO GUTIERREZ
22 PHAM HA
23 AURELIA HAMIC
24 LINDITA HERKURI
25 HENDRO HERLAMBANG
26 KAREN HERNANDEZ
27 MARIA HERNANDEZ
28 MARIA ELENA HERNANDEZ

1 MARIA GUADALUPE HERNANDEZ
2 PAOLO HERNANDEZ
3 INGRID HERRERA
4 RYAN JAVIER
5 KIMBERLY JIMENEZ
6 RYAN JOSEPH MINA
7 DALJIT KAUR
8 JAGMIT KAUR
9 NARINDERJEET KAUR
10 SATINDER KAUR
11 TAJINDER P KAUR
12 PARMJEET KAUR THIARA
13 MARY S KERYAN
14 SHAHNAZ KHAN
15 VALYA KHUMARYAN
16 ELIZABETH LAGUNILLA
17 ARESEL LAI
18 ANTHONY LAO
19 JANET LI
20 QI S LI
21 MARTHA V LOZA
22 BIVIANA LOZANO
23 CYNTHIA LOZANO
24 MARILYN LOZANO
25 PAULO LOZANO
26 SHI LU
27 IURESALEMA LUI
28 CHAU LUONG

1 KODY LUONG
2 RACHEL MADRIAGA
3 LETTY MADRIGAL
4 NENA MANDIN
5 ELIA MARRON
6 CANDIDA MARROQUIN
7 JESSICA MARTINEZ
8 ROSA M MARTINEZ
9 LEONOR MARTINEZ MURRAY
10 ESHA MATOS
11 RANDY M MAYOR
12 OLGA MAZA
13 ALKA K MEHTA
14 SWEETY MEHTA
15 ELVA V MENDEZ
16 VANESSA MENDEZ
17 DANIELLE MENDOZA
18 LINDITA MERKURI
19 KARENNE MORALES
20 YESICA MORALES
21 ROSA M MORENTIN
22 ANGELICA MUNOZ
23 ROSA NEGRETE
24 BRENDA NEQUIS
25 OLGA A NEVAREZ
26 SAMANTHA NGUYEN
27 MINA NGUYEN DO
28 MARIA ONTIVEROS

1 CLAUDIA T ORDONEZ
2 JULIE OVERTON
3 REYNA E PANIAGUA
4 SALUD PANIAGUA
5 VARSHABEN J PATEL
6 MARCIA PENA
7 IRMA PERALTA CEBREROS
8 EVA PERDOMO
9 CRISTOPHER PEREIRA
10 GLADYS PEREZ
11 REVA PRAJAPATI
12 ARCELIA PROANO
13 GUADALUPE QUEZADA
14 ALICIA RAMIREZ
15 LAURA R RAMIREZ
16 JAY REAL
17 OLIVIA RECINOS
18 MIGUEL REVELO
19 NOMI REVILLA
20 DANIELA C REYES
21 LEAH Y REYES
22 AARON REYSANG
23 GLORY RIMANDO
24 MARINA N RIVAS
25 GEORGE RIVERA
26 LESSDIANNE RIVERA
27 CATHY ROBLES
28 CRISTINA RODRIGUEZ

1 ELIZABETH RODRIGUEZ
2 JANSEN RODRIGUEZ
3 ALEXIS ROMO
4 GUADALUPE RUVALCABA
5 TRITIA-JANE SABADO
6 PRECIOUS SALAZAR-TEC
7 ALBERT SAN JUAN
8 SILVIA SANCHEZ - 106504
9 SILVIA SANCHEZ - 109576
10 SILVIA SANCHEZ - HELP
11 SARA SANDOVAL
12 DOLORES SANTAMARIA
13 MARILOU L SANTIAGO
14 CLAUDIA SANTOS
15 MARIA SANTOS
16 VICTORIA R SANTOS
17 PHALLY SEARTH
18 KHRISTINA SIBUG
19 JATINDER SINGH
20 LAKHWINDER SINGH
21 PARSHOTAM SINGH
22 MICHAEL SMITH
23 PATRICIA SOBERANIS
24 LOURDES G SUAZO
25 MARTHA SUSANA OROZCO
26 HONG THI LE
27 JUANA TOLEDO
28 TERESA TORRES

1 THANH T TRAN
2 JANNIE TRINH
3 ARJEAN TUMANDA
4 JUNE ULUKIVAIOLA
5 VANESSA VALDES
6 ANGELICA VALENCIA
7 LUIS A VALENCIA
8 ESTELA VALENZUELA
9 MARIA VALENZUELA
10 SHEENA VALETE
11 ALFREDO H VALETE JR
12 MYRNA VALORIA
13 ALEJANDRO VASQUEZ
14 YESIKA VASQUEZ
15 VELIA VELASQUEZ
16 BELIA A VELAZQUEZ
17 ANN VIDAL
18 RAISA VITA
19 SON YANG
20 SVETLANA ZLATANOV
21
22
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24
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28

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

NOTICE OF ASSIGNMENT TO UNITED STATES MAGISTRATE JUDGE FOR DISCOVERY

This case has been assigned to District Judge Manuel Real and the assigned discovery Magistrate Judge is Patrick J. Walsh.

The case number on all documents filed with the Court should read as follows:

CV11- 2846 R (PJWx)

Pursuant to General Order 05-07 of the United States District Court for the Central District of California, the Magistrate Judge has been designated to hear discovery related motions.

Unless otherwise ordered, the United States District Judge assigned to this case will hear and determine all discovery related motions.

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NOTICE TO COUNSEL

A copy of this notice must be served with the summons and complaint on all defendants (if a removal action is filed, a copy of this notice must be served on all plaintiffs).

Subsequent documents must be filed at the following location:

☒ **Western Division**
312 N. Spring St., Rm. G-8
Los Angeles, CA 90012

☐ **Southern Division**
411 West Fourth St., Rm. 1-053
Santa Ana, CA 92701-4516

☐ **Eastern Division**
3470 Twelfth St., Rm. 134
Riverside, CA 92501

Failure to file at the proper location will result in your documents being returned to you.

UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA
CIVIL COVER SHEET

I (a) PLAINTIFFS (Check box if you are representing yourself <input type="checkbox"/>) HILDA L. SOLIS, Secretary of Labor, United States Department of Labor,	DEFENDANTS Medtronic, Inc., a Minnesota Corporation, Medtronic Minimed, Inc., a California Corporation,
(b) Attorneys (Firm Name, Address and Telephone Number. If you are representing yourself, provide same.) DANIEL J. CHASEK, Associate Regional Solicitor Office of the Solicitor/United States Department of Labor 350 S. Figueroa St., Ste., 370; Los Angeles, CA 90071/Phone: (213) 894-4225	Attorneys (If Known)

II. BASIS OF JURISDICTION (Place an X in one box only.) <input checked="" type="checkbox"/> 1 U.S. Government Plaintiff <input type="checkbox"/> 3 Federal Question (U.S. Government Not a Party) <input type="checkbox"/> 2 U.S. Government Defendant <input type="checkbox"/> 4 Diversity (Indicate Citizenship of Parties in Item III)	III. CITIZENSHIP OF PRINCIPAL PARTIES - For Diversity Cases Only (Place an X in one box for plaintiff and one for defendant) <table style="width:100%;"> <tr> <td style="width:30%;">Citizen of This State</td> <td style="width:10%;">PTF <input type="checkbox"/> 1</td> <td style="width:10%;">DEF <input type="checkbox"/> 1</td> <td style="width:40%;">Incorporated or Principal Place of Business in this State</td> <td style="width:10%;">PTF <input type="checkbox"/> 4</td> <td style="width:10%;">DEF <input type="checkbox"/> 4</td> </tr> <tr> <td>Citizen of Another State</td> <td><input type="checkbox"/> 2</td> <td><input type="checkbox"/> 2</td> <td>Incorporated and Principal Place of Business in Another State</td> <td><input type="checkbox"/> 5</td> <td><input type="checkbox"/> 5</td> </tr> <tr> <td>Citizen or Subject of a Foreign Country</td> <td><input type="checkbox"/> 3</td> <td><input type="checkbox"/> 3</td> <td>Foreign Nation</td> <td><input type="checkbox"/> 6</td> <td><input type="checkbox"/> 6</td> </tr> </table>	Citizen of This State	PTF <input type="checkbox"/> 1	DEF <input type="checkbox"/> 1	Incorporated or Principal Place of Business in this State	PTF <input type="checkbox"/> 4	DEF <input type="checkbox"/> 4	Citizen of Another State	<input type="checkbox"/> 2	<input type="checkbox"/> 2	Incorporated and Principal Place of Business in Another State	<input type="checkbox"/> 5	<input type="checkbox"/> 5	Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3	<input type="checkbox"/> 3	Foreign Nation	<input type="checkbox"/> 6	<input type="checkbox"/> 6
Citizen of This State	PTF <input type="checkbox"/> 1	DEF <input type="checkbox"/> 1	Incorporated or Principal Place of Business in this State	PTF <input type="checkbox"/> 4	DEF <input type="checkbox"/> 4														
Citizen of Another State	<input type="checkbox"/> 2	<input type="checkbox"/> 2	Incorporated and Principal Place of Business in Another State	<input type="checkbox"/> 5	<input type="checkbox"/> 5														
Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3	<input type="checkbox"/> 3	Foreign Nation	<input type="checkbox"/> 6	<input type="checkbox"/> 6														

IV. ORIGIN (Place an X in one box only.)

☒ 1 Original Proceeding
 ☐ 2 Removed from State Court
 ☐ 3 Remanded from Appellate Court
 ☐ 4 Reinstated or Reopened
 ☐ 5 Transferred from another district (specify):
 ☐ 6 Multi-District Litigation
 ☐ 7 Appeal to District Judge from Magistrate Judge

V. REQUESTED IN COMPLAINT: JURY DEMAND: ☐ Yes ☒ No (Check 'Yes' only if demanded in complaint.)

CLASS ACTION under F.R.C.P. 23: ☐ Yes ☒ No **MONEY DEMANDED IN COMPLAINT:** \$ _____

VI. CAUSE OF ACTION (Cite the U.S. Civil Statute under which you are filing and write a brief statement of cause. Do not cite jurisdictional statutes unless diversity.)
 To enjoin and restrain defendants from violating provisions of Sections 15(a)(1), 15(a)(2) and 15(a)(5) of the Fair Labor Standards Act, as amended (29 U.S.C. 201 et seq)

VII. NATURE OF SUIT (Place an X in one box only.)

OTHER STATUTES <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce/ICC Rates/etc. <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 810 Selective Service <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 875 Customer Challenge 12 USC 3410 <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Act <input type="checkbox"/> 892 Economic Stabilization Act <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 894 Energy Allocation Act <input type="checkbox"/> 895 Freedom of Info. Act <input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice <input type="checkbox"/> 950 Constitutionality of State Statutes	CONTRACT <input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loan (Excl. Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise REAL PROPERTY <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	TORTS PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Fed. Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury-Med Malpractice <input type="checkbox"/> 365 Personal Injury-Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability IMMIGRATION <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 463 Habeas Corpus-Alien Detainee <input type="checkbox"/> 465 Other Immigration Actions	TORTS PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability BANKRUPTCY <input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 CIVIL RIGHTS <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 444 Welfare <input type="checkbox"/> 445 American with Disabilities - Employment <input type="checkbox"/> 446 American with Disabilities - Other <input type="checkbox"/> 440 Other Civil Rights	PRISONER PETITIONS <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 General Habeas Corpus <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus/Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition FORFEITURE / PENALTY <input type="checkbox"/> 610 Agriculture <input type="checkbox"/> 620 Other Food & Drug <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 630 Liquor Laws <input type="checkbox"/> 640 R.R. & Truck <input type="checkbox"/> 650 Airline Regs <input type="checkbox"/> 660 Occupational Safety /Health <input type="checkbox"/> 690 Other	LABOR <input checked="" type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Empl Ret Inc. Security Act PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS-Third Party 26 USC 7609
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FOR OFFICE USE ONLY: Case Number: _____

AFTER COMPLETING THE FRONT SIDE OF FORM CV-71, COMPLETE THE INFORMATION REQUESTED BELOW.

UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA
CIVIL COVER SHEET

VIII(a). IDENTICAL CASES: Has this action been previously filed in this court and dismissed, remanded or closed? ☒ No ☐ Yes

If yes, list case number(s): _____

VIII(b). RELATED CASES: Have any cases been previously filed in this court that are related to the present case? ☒ No ☐ Yes

If yes, list case number(s): _____

Civil cases are deemed related if a previously filed case and the present case:

- (Check all boxes that apply) ☐ A. Arise from the same or closely related transactions, happenings, or events; or
☐ B. Call for determination of the same or substantially related or similar questions of law and fact; or
☐ C. For other reasons would entail substantial duplication of labor if heard by different judges; or
☐ D. Involve the same patent, trademark or copyright, and one of the factors identified above in a, b or c also is present.

IX. VENUE: (When completing the following information, use an additional sheet if necessary.)

(a) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which **EACH** named plaintiff resides

☒ Check here if the government, its agencies or employees is a named plaintiff. If this box is checked, go to item (b).

County in this District.*	California County outside of this District; State, if other than California; or Foreign Country

(b) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which **EACH** named defendant resides

☐ Check here if the government, its agencies or employees is a named defendant. If this box is checked, go to item (c).

County in this District.*	California County outside of this District; State, if other than California; or Foreign Country
Medtronic, Inc. - Minneapolis MN Medtronic Minimed, Inc. - Los Angeles County	

(c) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which **EACH** claim arose.

Note: In land condemnation cases, use the location of the tract of land involved.

County in this District.*	California County outside of this District; State, if other than California; or Foreign Country
Los Angeles County	

* Los Angeles, Orange, San Bernardino, Riverside, Ventura, Santa Barbara, or San Luis Obispo Counties

Note: In land condemnation cases, use the location of the tract of land involved.

X. SIGNATURE OF ATTORNEY (OR PRO PER) Samuel H. Chark **Date** 3-30-2011

Notice to Counsel/Parties: The CV-71 (JS-44) Civil Cover Sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law. This form, approved by the Judicial Conference of the United States in September 1974, is required pursuant to Local Rule 3-1 is not filed but is used by the Clerk of the Court for the purpose of statistics, venue and initiating the civil docket sheet. (For more detailed instructions, see separate instructions sheet.)

Key to Statistical codes relating to Social Security Cases:

Nature of Suit Code	Abbreviation	Substantive Statement of Cause of Action
861	HIA	All claims for health insurance benefits (Medicare) under Title 18, Part A, of the Social Security Act, as amended. Also, include claims by hospitals, skilled nursing facilities, etc., for certification as providers of services under the program. (42 U.S.C. 1935FF(b))
862	BL	All claims for "Black Lung" benefits under Title 4, Part B, of the Federal Coal Mine Health and Safety Act of 1969. (30 U.S.C. 923)
863	DIWC	All claims filed by insured workers for disability insurance benefits under Title 2 of the Social Security Act, as amended; plus all claims filed for child's insurance benefits based on disability. (42 U.S.C. 405(g))
863	DIWW	All claims filed for widows or widowers insurance benefits based on disability under Title 2 of the Social Security Act, as amended. (42 U.S.C. 405(g))
864	SSID	All claims for supplemental security income payments based upon disability filed under Title 16 of the Social Security Act, as amended.
865	RSI	All claims for retirement (old age) and survivors benefits under Title 2 of the Social Security Act, as amended. (42 U.S.C. (g))

Daniel J. Chasek, Associate Regional Solicitor
 Office of the Solicitor (Sol#0717908)
 United States Department of Labor
 350 S. Figueroa St., Suite 370
 Los Angeles, CA 90071-1202
 Telephone: (213) 894-4225/FAX: (213) 894-2064

**UNITED STATES DISTRICT COURT
 CENTRAL DISTRICT OF CALIFORNIA**

HILDA L. SOLIS, Secretary of Labor,
 United States Department of Labor,

PLAINTIFF(S)

v.

Medtronic, Inc., a Minnesota Corporation;
 Medtronic Minimed, Inc., a California Corporation,

DEFENDANT(S).

CASE NUMBER

CV11 02846 R PJWx

SUMMONS

TO: DEFENDANT(S): - named above -

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it), you must serve on the plaintiff an answer to the attached ☒ complaint ☐ amended complaint ☐ counterclaim ☐ cross-claim or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff's attorney, Daniel J. Chasek, whose address is 350 S. Figueroa Street, Suite 370; Los Angeles, CA 90071-1202. If you fail to do so, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

Clerk, U.S. District Court

APR - 5 2011

Dated: _____

By: _____
 Deputy Clerk

(Seal of the Court)



1181

[Use 60 days if the defendant is the United States or a United States agency, or is an officer or employee of the United States. Allowed 60 days by Rule 12(a)(3)].